

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>GREGORY HEARN, SR. and DANA</b>	:	<b>CIVIL ACTION</b>
<b>HEARN, husband and wife in their</b>	:	
<b>own right, and as parents and natural</b>	:	
<b>guardians of KYHNA HEARN and</b>	:	
<b>GREGORY HEARN, JR., their children,</b>	:	
	:	<b>HONORABLE JAY C. WALDMAN</b>
<b>Plaintiffs,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>PHILADELPHIA POLICE OFFICER</b>	:	
<b>BRIAN FUSS and PHILADELPHIA</b>	:	
<b>POLICE OFFICER JOHN FLYNN,</b>	:	
	:	
<b>Defendants.</b>	:	<b>NO. 02-3525</b>

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**PLAINTIFFS' UNOPPOSED MOTION TO EXTEND DISCOVERY DEADLINE**

1. Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983, on May 31, 2002.
2. On August 5, 2002, the Court issued a Scheduling Order, setting December 26, 2002 as the deadline for the completion of Discovery.
3. The parties have responded to each other's Interrogatories and Document Requests, and depositions of all parties have been scheduled for the first two weeks of December.
4. In order that the parties may complete discovery and exchange expert witness information, plaintiffs request a brief extension of the discovery deadline until February 7, 2003, and further request that the date for the matter to be placed in the trial pool be extended

accordingly.

5. No previous requests for extensions of deadlines have been made.
6. Plaintiffs have sought and received defendants' concurrence in requesting the extension of time.

**WHEREFORE**, plaintiffs request that the discovery deadline in the above-captioned matter be extended until February 7, 2003, and that the trial date be adjusted accordingly.

RESPECTFULLY SUBMITTED,

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GERALD J. GRANT, ESQUIRE  
Attorney I.D. #85337  
Williams, Cuker & Berezofsky  
One Penn Center at Suburban Station Building  
1617 JFK Boulevard, Suite 800  
Philadelphia, PA 19103-1895  
(215) 557-0099  
Counsel for Plaintiffs

Dated: December 20, 2002

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CERTIFICATE OF SERVICE

I, GERALD J. GRANT, Jr., hereby certify that on this date I served a true and correct copy of the foregoing Plaintiffs' Unopposed Motion to Extend Discovery by U.S. first class mail, postage prepaid upon the following counsel:

Edward D. Chew  
City of Philadelphia Law Department  
One Parkway Building  
1515 Arch Street, 15<sup>th</sup> Floor  
Philadelphia, PA 19102  
Counsel for Defendant Philadelphia Police Officers  
Brian Fuss and John Flynn

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GERALD J. GRANT, ESQUIRE

Date:

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	:	<b>HONORABLE JAY C. WALDMAN</b>
<b>Plaintiffs,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>PHILADELPHIA POLICE OFFICER</b>	:	
<b>BRIAN FUSS and PHILADELPHIA</b>	:	
<b>POLICE OFFICER JOHN FLYNN,</b>	:	
	:	
<b>Defendants.</b>	:	<b>NO. 02-3525</b>

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of \_\_\_\_\_, 2002 upon consideration of plaintiff's unopposed motion to extend discovery deadline, it is hereby **ORDERED** that plaintiffs' motion is **GRANTED**, and discovery in the above-captioned matter shall be completed by February 7, 2003. This case shall be placed in the trial pool on \_\_\_\_\_, 2003.

**BY THE COURT:**

\_\_\_\_\_  
J.

**VERIFICATION**

Gerald J. Grant, Jr., Esquire states that he is counsel for the plaintiff in this action and verifies that the statements made in the foregoing Unopposed Motion to Extend Discovery Deadline are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made under penalties of perjury that the foregoing is true and correct subject to 28 U.S.C. 1746.

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Dated: December 6, 2002

CERTIFICATE OF CONCURRENCE

I, GERALD J. GRANT, JR. hereby certify that I sought concurrence in the filing of this Motion and said concurrence was given.

BY: \_\_\_\_\_  
GERALD J. GRANT, JR., ESQUIRE  
Attorney for Plaintiffs

Dated: